

Filer's Name, Address, Phone, Fax, Email:

Ashford & Wriston LLP
Miranda Tsai 8308-0
Connie Chow 8556-0
P.O. Box 131
Honolulu, Hawaii 96810
Telephone: (808) 539-0400, Fax: (808) 533-4945
Email: mtsai@awlaw.com; cchow@awlaw.com



UNITED STATES BANKRUPTCY COURT
DISTRICT OF HAWAII
1132 Bishop Street, Suite 250
Honolulu, Hawaii 96813

hib_4001-1cs (12/09)

| | | |
|--|---|--|
| Debtor: KAREN CARMEN COLOMA | | Case No.: 09-02950 |
| Joint Debtor: ELMER OASAY COLOMA (if any) | | Chapter: 13 |
| COVER SHEET - MOTION FOR RELIEF FROM STAY <i>Instructions: Complete A. for all motions. Complete B. if seeking to enforce security interest. Complete C. if motion concerns a lease. Complete D. for other types of relief. Complete E. if seeking extraordinary relief.</i> | | Hearing Date: February 17, 2010 Time: 1:30 PM |
| A. Relief sought under <input checked="" type="checkbox"/> 11 U.S.C. § 362(d) – Automatic Stay <input type="checkbox"/> 11 U.S.C. § 1301(c) – Chapter 13 Codebtor Stay | | |
| Movant: EASTERN SAVINGS BANK, FSB ("ESB") | | |
| Role (mortgagee, lessor, agent, plaintiff, etc.): Mortgagee | | <input checked="" type="checkbox"/> Debtor's principal residence |
| Subject Matter (real/personal property, litigation, etc.): 267 Baldwin Avenue, Paia, Hawaii 96779 (use address/TMK/vehicle ID, etc.) | | |
| If pending litigation, last major prepetition event: Notice of Foreclosure Under Power of Sale (Doc. No. 2009-173745) (decree of foreclosure, writ of possession, etc.) | | |
| B. Security Interest (mortgage, lien, etc.) | | Movant's lien position (1 st , 2 nd , etc.): 1st |
| Date of loan: June 12, 2008 | | Maturity date: July 1, 2038 |
| Original amt: \$ 295,000.00 | Principal bal: \$ 294,719.62 | Interest, late fees, etc.: \$ 48,557.32 |
| Monthly pmt: \$ 3,321.39 | Prepetition arrears: \$ 46,935.19 | Postpetition arrears: \$ 3,321.39 |
| Debtor's valuation in schedules: \$ 550,000.00 | | Movant's valuation (if different): \$ |
| List all encumbrances: | Sr. lien: ESB | \$ 343,276.94 |
| | 2 nd lien: | \$ |
| | Total other liens: | \$ |
| | Add all liens | \$ 343,276.94 |
| C. Lease | Date of lease: | Payment: \$ per |
| Prepetition arrears: \$ | | Postpetition arrears: \$ |
| D. Other | Describe relief sought, title of action and court of any litigation, and any applicable insurance: Relief from stay to continue with nonjudicial foreclosure proceedings. | |
| E. Extraordinary relief requested: <input type="checkbox"/> Retroactive relief <input type="checkbox"/> "in rem" relief <input type="checkbox"/> No stay of order | | |
| The above information summarizes allegations in attached motion. /s/ <u>MM</u> | | For Movant |